



**Jackson Lewis LLP**  
59 Maiden Lane  
New York, New York 10038  
Tel 212 545-4000  
Fax 212 972-3213  
www.jacksonlewis.com

ATLANTA, GA	LONG ISLAND, NY	PORTLAND, OR
BIRMINGHAM, AL	LOS ANGELES, CA	PROVIDENCE, RI
BOSTON, MA	MIAMI, FL	RALEIGH-DURHAM, NC
CHICAGO, IL	MINNEAPOLIS, MN	RICHMOND, VA
CLEVELAND, OH	MORRISTOWN, NJ	SACRAMENTO, CA
DALLAS, TX	NEW ORLEANS, LA	SAN FRANCISCO, CA
DENVER, CO	NEW YORK, NY	SEATTLE, WA
DETROIT, MI	ORANGE COUNTY, CA	STAMFORD, CT
GREENVILLE, SC	ORLANDO, FL	WASHINGTON, DC REGION
HARTFORD, CT	PHILADELPHIA, PA	WHITE PLAINS, NY
HOUSTON, TX	PHOENIX, AZ	
LAS VEGAS, NV	PITTSBURGH, PA	

DIRECT DIAL: (212) 545-4017

EMAIL ADDRESS: [ATLASC@JACKSONLEWIS.COM](mailto:ATLASC@JACKSONLEWIS.COM)

August 11, 2008

**VIA FED EX**

Hon. Cathy Seibel  
United States District Court  
Southern District of New York  
300 Quarropas Street  
White Plains, NY 10601-4150

Re: Korry v. Instant Products International Inc., et al.  
Civil Action No. 07 civ. 5985 (CLB)

Dear Judge Seibel:

We are the attorneys for the Defendants in the above-referenced action. We are writing on behalf of all parties to jointly request that the record in this action be sealed.

This action previously was pending before the late Judge Briant. The case was settled between the parties, and was dismissed with prejudice on May 7, 2008. Part of the settlement agreement between the parties called for the parties to jointly apply to the Court for an order sealing the file in this action. Per instructions from the Clerk's Office, the parties have directed to your attention this application for the record in this case to be sealed.

In deciding whether to seal records, it is appropriate for the Court to consider the privacy interests of innocent third parties, and accord those interests great weight against the presumption of public access. See United States v. Amodeo, 71 F.3d 1044, 1050 (2d Cir. 1995). Where the subject matter of the records is "traditionally considered private rather than public," greater weight should be given to the privacy interests at hand. Id. at 1051. It is well-established that "[f]inancial records of a wholly owned business, family affairs, illnesses, embarrassing conduct with no public ramifications, and similar matters will weigh more heavily against access than conduct affecting a substantial portion of the public." Id.

This case was such a private matter with no public ramifications, and the privacy interests of innocent third parties in sealing the record are significant. Ms. Korry's Complaint alleged



Honorable Cathy Seibel  
Korry v. Instant Products International Inc., et al.  
August 11, 2008

Page 2

that she was discriminated against on the basis of her gender and subjected to a hostile work environment. Her allegations are quite specific and embarrassing – to those who she claimed perpetrated discriminatory and hostile acts against her, their families, innocent third parties who have been affected by this lawsuit, and even to Plaintiff herself. Significantly, none of the corporate entities named in Mr. Korry's Complaint are public corporations; all are privately-held, or wholly-owned subsidiaries of privately-held entities. Accordingly, it is appropriate for these factors to overcome the presumption of public access in this instance.

For the foregoing reasons, the parties respectfully request that their joint application to seal the record in this action be granted.

Finally, all counsel in this matter wish to extend their congratulations to you on your recent and well-deserved appointment to the bench.

Thank you for your courtesy and attention to this matter.

Very truly yours,

JACKSON LEWIS LLP

A handwritten signature in black ink, appearing to read "Clifford R. Atlas".

Clifford R. Atlas

SA:dt

cc: Laurie Berke-Weiss, Esq. (via facsimile)  
Samantha Abeysekera, Esq.